

HOUSE No. 4601

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 28, 2022.

The committee on Environment, Natural Resources and Agriculture to whom was referred the petition (accompanied by bill, House, No. 922) of Sean Garballey, Richard M. Haggerty and Lindsay N. Sabadosa for an investigation by a special commission (including members of the General Court) relative to the effects of rat poison on wildlife, and the petition (accompanied by bill, House, No. 4143) of Mindy Domb for legislation to transfer the Pesticide Board from the Department of Food and Agriculture to the Department of Environmental Protection, reports recommending that the accompanying bill (House, No. 4601) ought to pass.

For the committee,

MINDY DOMB.

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In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to the pesticide board.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) There shall be established a task force to be known as the pesticide
2 control modernization and environmental protection task force. The task force shall study the
3 commonwealth's statutes, regulations, and practices governing pesticide control in the
4 commonwealth and make recommendations on the items detailed in paragraph (b) of this act.

5 The task force shall consist of the following members or their designees: the secretary of
6 energy and environmental affairs, who shall serve as chair; the commissioner of the department
7 of agricultural resources; the commissioner of the department of environmental protection; the
8 commissioner of the department of public health; the chairs of the joint committee on
9 environment, natural resources and agriculture; the senate chair of the joint committee on public
10 health; the house chair of the joint committee on consumer protection and professional licensure;
11 and the senate and house minority leaders. The task force shall also include 19 additional
12 members appointed by the chairs of the joint committee on environment, natural resources and
13 agriculture: 1 of whom shall be an academic expert in environmental or health impacts of
14 pesticides; 1 of whom shall be an ecological risk assessor with a background in ecotoxicology; 1

of whom shall be a licensed pesticide applicator; 1 of whom shall be a representative of a statewide land conservation organization; 1 of whom shall be a representative of a regional or statewide river protection organization; 1 of whom shall be a representative of a statewide wildlife protection organization; 1 of whom shall be a representative of a statewide organization representing farms and agriculture; 1 of whom shall be a representative of a statewide organization representing organic farms and agriculture; 1 of whom shall be a representative of a statewide organization representing beekeepers or groups concerned about pollinators; 1 of whom shall be a representative of a statewide lawn care organization; 1 of whom shall be a representative of a statewide nursery and landscape organization; 1 of whom shall be a representative of a statewide consumer protection organization; 1 of whom shall be a veterinarian with expertise in pesticide impacts on animals; 1 of whom shall be a representative of a statewide horticultural or grower association; 1 of whom shall be a representative of pesticide manufacturers; 1 of whom shall be a representative of a statewide organization representing cranberry growers; 1 of whom shall be a representative of a statewide organization of retailers; 1 of whom shall be a member of a town natural resources commission or equivalent; and 1 of whom shall be a member of a city natural resources commission or equivalent.

(b) The task force shall review and make recommendations to improve the ability of the commonwealth to prevent and mitigate adverse impacts of pesticide use on the environment and public health. The issues examined by the task force shall include, but not be limited to: (i) the structure, membership, and operation of the pesticide board and the pesticide board subcommittee within the department of agricultural resources; (ii) the ability of the pesticide board and pesticide board subcommittee to effectively interact with other state agencies, stakeholders, and the public; (iii) the commonwealth's relationship with federal pesticide

regulators and ability to implement federal pesticide regulations on the state level in a manner consistent with pesticide use reduction goals; (iv) the effectiveness of chapter 132B of the general laws and other state and federal statutes in reducing harmful impacts of pesticide use; (v) the ability of the pesticide board and the pesticide board to quickly and effectively implement science-based regulation of pesticides and pesticide products; (vi) the effectiveness of the commonwealth's licensing and continuing education process for pesticide users in promoting responsible, limited use of pesticides and reducing adverse impacts of pesticide use; (vii) the implementation of section 5A of said chapter 132B as it pertains to pesticide use reduction and annual reporting requirements; (viii) opportunities to expand integrated pest management planning and practices to additional public lands; (ix) the accessibility and transparency of the commonwealth's pesticide use reporting system; and (x) public awareness and education regarding pesticide use and its environmental and health impacts.

(c) The task force shall issue a report detailing its findings and recommendations, which shall include, but not be limited to, detailed investigation of the issue areas detailed in subsection (b) and a broad assessment of the operational effectiveness of the pesticide board and pesticide board subcommittee. The report shall include a recommendation of the appropriate location within state government to locate the board and the subcommittee and may include recommendations of additional oversight and accountability measures necessary to for the board and the subcommittee to effectively meet the statutory goals of safe and responsible pesticide use established in chapter 132B.

(d) All meetings of the task force shall be open to the public. The task force shall hold at least 1 public listening session. The task force shall convene its first meeting no later than September 1, 2022.

61 (e) The task force shall file its findings and recommendations with the clerks of the house
62 of representatives and the senate, the joint committee on ways and means and the joint
63 committee on environment, natural resources and agriculture not later than March 31, 2023.